## d.) Remarks

10

15

20

30

Claims 14-16 are cancelled as improper for U.S. prosecution. In the parent application, Claims 1-13 were subject to a requirement for restriction; and Claims 5-11 and 13 were objected to. As detailed below, the claims have been amended in response to the restriction requirement and to obviate the bases for objection. No new subject matter has been added by any amendment. Accordingly, the Examiner is requested to consider the claims as amended and to find them allowable.

In response to the restriction requirement, Claims 1-3 and 5 (and claims dependent from them) have been amended to delete values of  $Q^1$  which are other than pyridazinyl.

Claims 5-11 and 13 were objected to as being in improper form because multiple dependent claims depend upon other multiple dependent claims. Accordingly, Claims 5-11 and 13 have been amended; and new Claims 17-26, based upon the mutually dependent multiple dependent claims, have been provided to eliminate the improper form of claiming. In Claim 9, the restrictions of Claim 4 have been included by amendment.

In addition, new Claim 27, drawn to the species of Examples 7 and 236, has been provided.

In the parent application, Claims 1-13 were rejected under Section 112, second paragraph, as indefinite. (As noted above, the omnibus claims, Claims 14-16 are cancelled.)

In Claim 1, as well as Claims 2 and 3, in the definitions of  $R^5$ ,  $R^2$  and  $R^{2A}$ , the term "includes" in the definitions of heteroaryl groups was said to be open ended. In the context, it is strongly felt that the definitions are not open ended; however, to advance the prosecution, the term "includes" has been replaced with the term "has" at

- 23 -

each occurrence. It is believed that these amendments cause no change in the scope of the claim.

In the definition of  $Q^2$  of  $R^2$ , the obvious typographical error has been emended by correcting the second  $Q^E$  to  $Q^F$ .

Claim 13 has been amended to comply with the suggestions of the Examiner.

Although not required by the current waiver of the rules, a set of clean pending claims is enclosed for completeness of the record and for the convenience of the Examiner. The Examiner is encouraged to call should it be useful to expedite any further aspect of the prosecution.

15

10

5

Respectfully submitted,

20

Thomas E. Jackson Attorney for Applicants Registration No. 33,064 Phone: 317-277-3735

Eli Lilly and Company 25 Patent Division

P.O. Box 6288

Indianapolis, Indiana 46206-6288

30

Enclosure: Clean Pending Claims